

DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

OPTICAL DISK-BASED ASSAY DEVICES AND METHODS -

the specification of which

(check ☐ is attached hereto
one)

[X] was filed on July 21, 1998 as
Application Serial No. 09/120,049
and was amended on _____
(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I do not know and do not believe that the invention was ever patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to this application.

I do not know and do not believe that the invention was in public use or on sale in the United States of America more than one year prior to this application.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known by me to be material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

			<u>Priority Claimed</u>	
			<input type="checkbox"/>	<input type="checkbox"/>
<u>(Number)</u>	<u>(Country)</u>	<u>(Day/Month/Year Filed)</u>	Yes	No
<u>(Number)</u>	<u>(Country)</u>	<u>(Day/Month/Year Filed)</u>	<input type="checkbox"/>	<input type="checkbox"/>
<u>(Number)</u>	<u>(Country)</u>	<u>(Day/Month/Year Filed)</u>	<input type="checkbox"/>	<input type="checkbox"/>
<u>(Number)</u>	<u>(Country)</u>	<u>(Day/Month/Year Filed)</u>	<input type="checkbox"/>	<input type="checkbox"/>

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and benefit under 35 U.S.C. § 119(e) of any provisional United States applications listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known by me to be material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

<u>60/053,229</u>	<u>July 21, 1997</u>	<u>Pending</u>
(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)

<u>08/888,935</u>	<u>July 7, 1997</u>	<u>Pending</u>
(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)

<u>60/030,416</u>	<u>November 1, 1996</u>	<u>Abandoned</u>
(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)

**REVOCATION/APPOINTMENT OF POWER OF ATTORNEY
OR AUTHORIZATION OF AGENT**

Docket Number (Optional)

18950-18

In re Application of

Virtanen

Application No.

09/120,049

Filed

July 21, 1998

Group Art Unit

1655

Examiner

J. Riley

To: Assistant Commissioner for Patents
Washington, DC 20231

1. ☒ I hereby revoke all previous powers of attorney or authorization of agents in the above identified application.
2. ☐ I hereby revoke less than all previous powers of attorney or authorization of agents in the above application. Revocation applies to the following person(s): (give name(s) and registration number(s))
3. ☒ I/we hereby appoint the following person(s) as my/our attorney(s) or agent(s) to prosecute said application, and to transact all business in the Patent and Trademark Office connected therewith: (give name(s) and registration number(s))

D.J. Oldenkamp, Reg. 29,421

W. Poms, Reg. 18,782

G.P. Smith, Reg. 20,142

H.D. Jastram, Reg. 19,777

C.A.S. Hamrick, Reg. 22,586

G.E. Lande, Reg. 22,222

A.C. Rose, Reg. 17,047

L.J. Bovasso, Reg. 24,075

C.Darrow, Reg. 30,166

M.D. Harris, Reg. 26,690

K.A. MacLean, Reg. 31,118

M.E. Brown, Reg. 28,590

A.P. Block, Reg. 35,450

S.R. Hansen, Reg. 38,486

D.N. Larson, Reg. 29,401

J.W. Inskeep, Reg. 33,910

J. Boyce, Reg. 40,920

C. Berman, Reg. 29,249

S.M. Parker, Reg. 36,233

R.S. Tamura, Reg. 43,179

S. Oh, Reg. P45,583

M.B. Farber, Reg. 32,612

R.O. Guillot, Reg. 28,852

E.C. Chang, Reg. 37,593

J.D. Voelzke, Reg. 37,957

C.J. Lervick, Reg. 35,244

C. Rosenberg, Reg. 31,464

G.B. Wood, Reg. 28,133

L.C. Cullman, Reg. 39,645

M.K. Bosworth, Reg. 28,186

4. ☐ The correspondence address is NOT affected by this communication.
- ☒ Change the correspondence address and direct all future correspondence to:

**David J. Oldenkamp, Esq.
Oppenheimer Wolff & Donnelly LLP
2029 Century Park East, Suite 3800
Los Angeles, CA 90067**

I am the:

- ☐ Applicant(s) (signature of all applicants are required).
- ☒ Assignee of record of the entire interest.

Certification under 37 CFR 3.73(b)

- ☒ is enclosed.
- ☐ has already been filed in this application.

Signature

Date

Address: BURSTEIN TECHNOLOGIES, INC.
15375 BARRANCA PARKWAY
SUITE I-101
IRVINE, CALIFORNIA 92618

Richard Burstein

Typed or printed name

A S S I G N M E N T

WHEREAS, I, Jorma Virtanen, residing at 5005 Paseo Segovia, Irvine, California 92612, have made an invention entitled:

OPTICAL DISK-BASED ASSAY DEVICES AND METHODS

and have made an application for United States Letters Patent therefor filed July 21, 1998 and assigned Serial No. 09/120,049; and

WHEREAS, BURSTEIN LABORATORIES, INC., a corporation organized and existing under the laws of the State of California and having an address of 28111 Ambar, Mission Viejo, California 92692, is desirous of acquiring the entire interest in said invention, said United States patent application and in any Letters Patent which may issue thereon;

NOW, THEREFORE, be it known that for and in consideration of the sum of One Dollar (\$1.00) paid, and other good and valuable consideration, the receipt of sufficiency of which is hereby acknowledged, I do hereby sell, assign and transfer unto the said BURSTEIN LABORATORIES, INC., its successors, assigns and legal representatives, all right, title and interest in and to said invention and any improvements thereof for all countries of the world, and in and to said United States patent application, including any continuations and divisions thereof, and any substitute applications therefor, and including the right to claim priority under the International Convention based on said patent application, and any patent which may issue thereon, and any reissues of the same; and all right, title and interest in and to every patent application filed or to be filed on said invention in any other country, including renewals, revivals, continuations and divisions thereof, and any substitute applications therefor,

and any and all patents which may issue thereon, and any reissues and extensions of the same;

and I hereby authorize and request competent authorities to grant and issue any and all patents on said invention to the said BURSTEIN LABORATORIES, INC. as the assignee of the entire interest therein; and I further agree to execute upon request of the assignee such additional documents, if any, as are necessary and proper to secure patent protection on said invention throughout all countries of the world, and to otherwise give full effect to and perfect the rights of the assignee under this Assignment.

IN TESTIMONY WHEREOF, I have hereunto signed my name and affixed my seal on the date indicated hereinafter.

8/10/98
Date

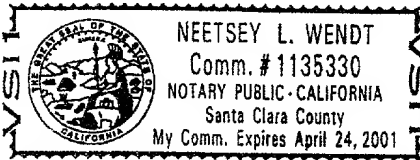
J. Virtanen
Jorma Virtanen

STATE OF California

: SS.:

COUNTY OF Santa Clara

On this 10 day of August, 1998, appeared before me in person the above-named Jorma Virtanen and acknowledged the above to be her signature and that he signed, sealed and delivered the above instrument as his voluntary act and deed, and for the uses and purposes therein set forth.



Neetsey L. Wendt
Notary Public

(Notarial seal)

My Commission expires:

April 24, 2001